
By: **Delegate Bronrott**
Introduced and read first time: March 4, 2004
Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Increased Court Costs for Transportation Violations - Transportation Trust**
3 **Fund**

4 FOR the purpose of requiring a court to impose a certain additional cost on
5 defendants convicted of certain violations; requiring a court to impose a certain
6 additional cost on defendants convicted of certain drunk and drugged driving
7 offenses; providing for the distribution of the additional court costs imposed
8 under this Act to the Gasoline and Motor Vehicle Revenue Account in the
9 Transportation Trust Fund; and generally relating to transportation financing
10 and revenues to be collected and distributed to the Transportation Trust Fund.

11 BY repealing and reenacting, with amendments,
12 Article - Courts and Judicial Proceedings
13 Section 7-409
14 Annotated Code of Maryland
15 (2002 Replacement Volume and 2003 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article - Transportation
18 Section 8-402
19 Annotated Code of Maryland
20 (2001 Replacement Volume and 2003 Supplement)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
22 MARYLAND, That the Laws of Maryland read as follows:

23 **Article - Courts and Judicial Proceedings**

24 7-409.

25 (a) (1) In this section the following words have the meanings indicated.

26 (2) "Crime" means an act committed by a person in the State that is:

- 1 (i) A crime under Title 1, Subtitle 3, Title 3, Subtitle 7, or § 4-123.1
2 of the Agriculture Article;
- 3 (ii) A crime under Title 19, Subtitle 2 or Subtitle 3 of the Business
4 Regulation Article;
- 5 (iii) A crime under Title 14, Subtitle 29, § 11-810, or § 14-1317 of
6 the Commercial Law Article;
- 7 (iv) A crime under § 3-218, § 3-305(c)(2), § 3-409(a) or (c), §
8 3-803(b), § 3-807(i), § 3-808(d), § 3-811(c), § 8-801, § 8-802, § 9-602(e), §
9 11-702(d)(8), § 11-703(e)(5)(iii), § 11-708(b)(8)(ii), § 11-711(h)(2), § 11-712(c)(6)(ii), §
10 11-715(g)(2), § 11-716(h)(2), § 11-723(b)(8), or § 11-726 of the Correctional Services
11 Article;
- 12 (v) A crime under the Criminal Law Article other than Title 8,
13 Subtitle 2, Part II or § 10-614;
- 14 (vi) A crime under the Criminal Procedure Article;
- 15 (vii) A crime under Title 5, Subtitle 10A of the Environment Article;
- 16 (viii) A crime under § 5-503 of the Family Law Article;
- 17 (ix) A crime under Title 20, Subtitle 7 or § 21-259.1 of the Health -
18 General Article;
- 19 (x) A crime under § 8-713.1, § 8-724.1, § 8-725.5, § 8-725.6, §
20 8-726.1, § 8-738.1, § 8-740.1, or § 10-411(b), as it relates to Harford County, or (d), as
21 it relates to Anne Arundel County or Caroline County, of the Natural Resources
22 Article;
- 23 (xi) A crime under Title 3, Subtitle 1 or Subtitle 5, Title 5, Subtitle
24 1, Subtitle 2, Subtitle 3, or Subtitle 4, § 6-602, § 7-402, or § 12-701 of the Public
25 Safety Article;
- 26 (xii) A crime under § 14-127 of the Real Property Article;
- 27 (xiii) A violation of the Transportation Article that is punishable by
28 imprisonment;
- 29 (xiv) A crime under Article 2B, Title 22 or § 18-104 of the Code;
- 30 (xv) A crime under Article 24, § 11-512, § 11-513, or § 11-514 of the
31 Code;
- 32 (xvi) A crime under § 109 of the Code of Public Local Laws of
33 Caroline County;
- 34 (xvii) A crime under § 4-103 of the Code of Public Local Laws of
35 Carroll County;

1 (xviii) A crime under § 8A-1 of the Code of Public Local Laws of
2 Talbot County; or

3 (xix) A crime at common law.

4 (3) "Offense" means a violation of the Transportation Article that is not
5 punishable by imprisonment.

6 (b) In addition to any other costs required by law, a circuit court shall impose
7 on a defendant convicted of a crime an additional cost of \$45 in the case.

8 (c) In addition to any other costs required by law, the District Court shall
9 impose on a defendant convicted of a crime an additional cost of \$35 in the case.

10 (d) In addition to any other costs required by law, a court shall impose on a
11 defendant convicted of an offense an additional cost of \$3 in the case, including cases
12 in which the defendant elects to waive the right to trial and pay the fine or penalty
13 deposit established by the Chief Judge of the District Court by administrative
14 regulation.

15 (E) EXCEPT AS PROVIDED IN SUBSECTION (F) OF THIS SECTION, IN ADDITION
16 TO ANY OTHER COSTS REQUIRED UNDER THIS SECTION OR BY LAW, A COURT SHALL
17 IMPOSE ON A DEFENDANT CONVICTED OF A VIOLATION OF THE TRANSPORTATION
18 ARTICLE AN ADDITIONAL COST OF \$50 IN THE CASE, INCLUDING CASES IN WHICH
19 THE DEFENDANT ELECTS TO WAIVE THE RIGHT TO TRIAL AND PAY THE FINE OR
20 PENALTY DEPOSIT ESTABLISHED BY THE CHIEF JUDGE OF THE DISTRICT COURT BY
21 ADMINISTRATIVE REGULATION.

22 (F) IN ADDITION TO ANY OTHER COSTS REQUIRED UNDER THIS SECTION OR
23 BY LAW, A COURT SHALL IMPOSE ON A DEFENDANT CONVICTED OF A CRIME WHICH
24 IS A VIOLATION OF § 21-902 OF THE TRANSPORTATION ARTICLE AN ADDITIONAL COST
25 OF \$200 IN THE CASE, INCLUDING CASES IN WHICH THE DEFENDANT ELECTS TO
26 WAIVE THE RIGHT TO TRIAL AND PAY THE FINE OR PENALTY DEPOSIT ESTABLISHED
27 BY THE CHIEF JUDGE OF THE DISTRICT COURT BY ADMINISTRATIVE REGULATION.

28 [(e)] (G) (1) All money collected under this section shall be paid to the
29 Comptroller of the State.

30 (2) The Comptroller shall deposit \$22.50 from each fee collected under
31 subsection (b) of this section from a circuit court and \$12.50 from each fee collected
32 under subsection (c) of this section from the District Court into the State Victims of
33 Crime Fund established under § 11-916 of the Criminal Procedure Article.

34 (3) The Comptroller shall deposit \$2.50 from each fee collected under
35 subsections (b) and (c) of this section into the Victim and Witness Protection and
36 Relocation Fund established under § 11-905 of the Criminal Procedure Article.

37 (4) The Comptroller shall deposit all other moneys collected under
38 subsections (b) and (c) of this section into the Criminal Injuries Compensation Fund
39 established under § 11-819 of the Criminal Procedure Article.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 July 1, 2004.